IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 12TH JANUARY 2007 / 22ND PAUSHA 1928

Bail Appl..No. 7702 of 2006()

CRMP.5386/2006 of I ADDL. DISTRICT COURT, KOLLAM
CR 46/06 of Chathannoor Excise Range

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: PETITIONER/2ND ACCUSED.

MANIKANDAN, S/O.CHELLAPPAN,
CHARUVILA VEEDU, CHIRAKKARA VILLAGE,
KOLLAM.

BY ADV. SRI.BRIJESH MOHAN
SMT.RESMI G. NAIR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE EXCISE INSPECTOR,
CHATHANNOOR EXCISE RANGE, KOLLAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 7702 of 2006

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Dated this the 12th day of January, 2007.

ORDER

Petitioners, who is the second accused in CR No.46 of 2006 of Chathannoor Excise Range for offences punishable under Section 8(1) and (2) of Abkari Act for allegedly having supplied 4.5 litres of arrack on 6.11.2006 to the first accused who is none other than the mother of the petitioner, seeks anticipatory bail. The mother of the petitioner was arrested with the contraband liquor on 6.11.2006.

2. The learned public Prosecutor opposed the application submitting inter alia that the first accused, the mother of the petitioner had confessed that the contraband liquor was supplied by the petitioner.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today,

the same shall be considered and disposed of preferably on the same date on which it is filed.

With this direction, this application is disposed of.

V.Ramkumar,
Judge.

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